

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)

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In Re:
Kathleen Leonard Case,

Debtor.



Order Filed on August 31, 2017
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 15-21118-KCF

Adv. No.:

Hearing Date: 5/10/2017 @ 9:00 a.m.

Judge: Kathryn C. Ferguson

**ORDER CURING POST-PETITION ARREARS AND RESOLVING MOTION FOR
RELIEF FROM STAY**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby
ORDERED.

DATED: August 31, 2017


Honorable Kathryn C. Ferguson
United States Bankruptcy Judge

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Debtor: Kathleen Leonard Case

Case No: 15-21118-KCF

Caption of Order: ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR RELIEF FROM STAY

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, M&T Bank, Denise Carlon, Esq. appearing, upon a motion to vacate the automatic stay as to real property located at 1849 South Clinton Avenue, Trenton, NJ 08610, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Allen Gorksi, Esq., attorney for Debtor, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of May 15, 2017, Debtor is in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due 8/2015 – 5/2017 for a total post-petition default of \$36,288.16 (7 @ \$2,032.94, 9 @ \$1,607.08, 6 @ \$1,604.32, with \$2,032.06 in suspense); and

It is further **ORDERED, ADJUDGED and DECREED** that Debtor shall make a payment of \$2,200.00 directly to Secured Creditor no later than August 15, 2017; and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$34,088.16 shall be added to the affidavit of amount due and paid through Debtor's Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that Debtor file a modified plan within ten days; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume June 1, 2017, directly to Secured Creditor (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the duration of Debtor's Chapter 13 bankruptcy proceeding, if the lump sum payment or any regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtor shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees and \$181.00 for filing fees, totaling \$531.00, which is to be paid through Debtor's Chapter 13 plan; and the motion is hereby resolved.